

Gr 3727

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PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/972,575	
	Filing Date	October 5, 2001	
	First Named Inventor	Joseph C. Walsh et al.	
	Group Art Unit	3727	
	Examiner Name	Tri M. Mai	
Total Number of Pages in This Submission	55	Attorney Docket Number	PP 5.78(a) CVL

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard for return by the PTO.
Remarks		

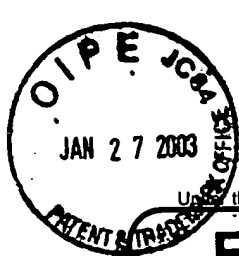
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Michael A. Goodwin, Esq.
Signature	
Date	January 27, 2003

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" Label No. EL 928438272 US addressed to: Commissioner for Patents, Washington, DC 20231 on this date: Jan. 27, 2003	
Typed or printed name	Kalyn Black
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Date	1/27/03

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PTO/SB/17 (01-03)  
Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)-0-

## Complete if Known

Application Number	09/972,575
Filing Date	October 5, 2001
First Named Inventor	Joseph C. Walsh et al.
Examiner Name	Tri M. Mai
Art Unit	3727
Attorney Docket No.	PP 5.78(a) CVL

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

11-1150

Klaas, Law, O'Meara & Malkin, P.C.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)-0-

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
24	-27** = 0	\$18.00	
6	-6** = 0	\$84.00	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)-0-

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description
1051 130	2051 65			Surcharge - late filing fee or oath
1052 50	2052 25			Surcharge - late provisional filing fee or cover sheet
1053 130	1053 130			Non-English specification
1812 2,520	1812 2,520			For filing a request for <i>ex parte</i> reexamination
1804 920*	1804 920*			Requesting publication of SIR prior to Examiner action
1805 1,840*	1805 1,840*			Requesting publication of SIR after Examiner action
1251 110	2251 55			Extension for reply within first month
1252 410	2252 205			Extension for reply within second month
1253 930	2253 465			Extension for reply within third month
1254 1,450	2254 725			Extension for reply within fourth month
1255 1,970	2255 985			Extension for reply within fifth month
1401 320	2401 160			Notice of Appeal
1402 320	2402 160			Filing a brief in support of an appeal
1403 280	2403 140			Request for oral hearing
1451 1,510	1451 1,510			Petition to institute a public use proceeding
1452 110	2452 55			Petition to revive - unavoidable
1453 1,300	2453 650			Petition to revive - unintentional
1501 1,300	2501 650			Utility issue fee (or reissue)
1502 470	2502 235			Design issue fee
1503 630	2503 315			Plant issue fee
1460 130	1460 130			Petitions to the Commissioner
1807 50	1807 50			Processing fee under 37 CFR 1.17(q)
1806 180	1806 180			Submission of Information Disclosure Stmt
8021 40	8021 40			Recording each patent assignment per property (times number of properties)
1809 750	2809 375			Filing a submission after final rejection (37 CFR 1.129(a))
1810 750	2810 375			For each additional invention to be examined (37 CFR 1.129(b))
1801 750	2801 375			Request for Continued Examination (RCE)
1802 900	1802 900			Request for expedited examination of a design application

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)-0-

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## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Michael A. Goodwin, Esq.	Registration No. (Attorney/Agent)	32,697	Telephone (303) 298-9888
Signature		Date	1-27-03	

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of : )  
Joseph C. Walsh, et al. )  
Serial No.: 09/972,575 ) Group Art Unit: 3727  
Filed: October 5, 2001 ) Examiner: Tri M. Mai  
For: CARTON BLANK, CARTON AND ) Atty Dkt. PP 5.78(a)CVL  
METHOD OF FORMING THE )  
CARTON )

7/1/03  
2/10/03  
\$

RESPONSE TO OFFICE ACTION MAILED NOVEMBER 19, 2002

To: Assistant Commissioner for Patents  
Washington, D.C. 20231

This is in response to the Office action mailed  
November 19, 2002, in the above-referenced application.  
Please amend the application as follows.

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IN THE CLAIMS

Please amend claim 1 as follows:

1. (once amended) A method of opening and closing a  
container, said method comprising:  
providing said container comprising:  
a body portion having at least one wall;  
a lid movably attached to said body portion;  
a panel formed in said at least one wall of  
said body portion;  
wherein said panel is attached to said lid;  
moving said lid to an open position, in which  
product can be dispensed from said container, by applying  
an opening force thereto, wherein said opening force  
causes said panel to separate from said at least one